

By Sam Johnson

H J.R. No. 11

A JOINT RESOLUTION

1 proposing a constitutional amendment prohibiting parole for persons
2 who repeatedly commit certain violent offenses.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Article IV, Section 11, of the Texas Constitution
5 is amended to read as follows:

6 Sec. 11. (a) The Legislature shall by law establish a Board
7 of Pardons and Paroles and shall require it to keep record of its
8 actions and the reasons for its actions. The Legislature shall
9 have authority to enact parole laws, except that the Legislature
10 may not enact a law permitting the parole or early release of a
11 defendant:

12 (1) who is convicted of any of the following offenses, if
13 the conviction is for an offense committed on or after January 1,
14 1990:

15 (A) capital murder;

16 (B) murder;

17 (C) aggravated kidnapping;

18 (D) aggravated robbery; or

19 (E) aggravated sexual assault; and

20 (2) who has been previously convicted of any of the offenses
21 listed in Subdivision (1) of this subsection.

22 (b) For purposes of Subsection (a)(1) of this section:

23 (1) an offense is committed before January 1, 1990, if any
24 element of the offense occurs before that date; and

1 (2) an offense committed before January 1, 1990, is covered
2 by the law in effect when the offense was committed, and the former
3 law is continued in effect for this purpose.

4 (c) In all criminal cases, except treason and impeachment,
5 the Governor shall have power, after conviction, on the written
6 signed recommendation and advice of the Board of Pardons and
7 Paroles, or a majority thereof, to grant reprieves and commutations
8 of punishment and pardons; and under such rules as the Legislature
9 may prescribe, and upon the written recommendation and advice of a
10 majority of the Board of Pardons and Paroles, he shall have the
11 power to remit fines and forfeitures. The Governor shall have the
12 power to grant one reprieve in any capital case for a period not to
13 exceed thirty (30) days; and he shall have power to revoke
14 conditional pardons. With the advice and consent of the
15 Legislature, he may grant reprieves, commutations of punishment and
16 pardons in cases of treason.

17 SECTION 2. This proposed constitutional amendment shall be
18 submitted to the voters at an election to be held on November 7,
19 1989. The ballot shall be printed to provide for voting for or
20 against the proposition: "The constitutional amendment prohibiting
21 parole for persons who repeatedly commit certain violent crimes."

HOUSE JOINT RESOLUTION

proposing a constitutional amendment prohibiting parole for persons who repeatedly commit certain violent offenses.

NOV 16 1988

1. Filed with the Chief Clerk.

JAN 23 1989

2. Read first time and referred to Committee on

Criminal Jurisprudence3. Reported favorably (as amended)
(as substituted) and sent to Printer at

4. Printed and distributed at

5. Sent to Committee on Calendars at

6. Read second time (amended) and (finally) passed to Third Reading by a Record Vote of _____ yeas, _____ nays, _____ present, not voting.

7. Motion to reconsider and table the vote by which H.J.R. _____ was ordered engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote of _____ yeas, _____ nays, _____ present, not voting.

9. Caption ordered amended to conform to body of resolution.

10. Motion to reconsider and table the vote by which H.J.R. _____ was finally adopted prevailed (failed) by a (Non-Record Vote) Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

11. Ordered Engrossed at

12. Engrossed.

13. Returned to Chief Clerk at

14. Sent to the Senate.

Chief Clerk of the House

15. Received from the House

16. Read, referred to Committee on

17. Reported favorably

18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

19. Ordered not printed.

20. Regular order of business suspended by

(a viva voce vote.)

(_____ yeas, _____ nays.)

21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

22. Read second time

passed to third reading by:
(a viva voce vote.)

(_____ yeas, _____ nays.)

_____ 23. Caption ordered amended to conform to body of bill.

_____ 24. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 25. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

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Secretary of the Senate

_____ 26. Returned to the House.

_____ 27. Received from the Senate (with amendments.)
(as substituted.)

_____ 28. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 29. Conference Committee Ordered.

_____ 30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 31. Ordered Enrolled at _____